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The Honorable Mary Jo Heston
Chapter 7
Hearing Location: Courtroom H
Tacoma Federal Courthouse Union Station
1717 Pacific Avenue, Ste 2100
Tacoma, WA 98402-3233
Hearing Date: August 24, 2023
Hearing Time: 9:00am
Response Date: August 17, 2023

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON

In re:

Colby Douglas Crumley

Debtor

Case No.: 23-41235-MJH

Chapter 7

MOTION FOR RELIEF FROM STAY

Washington State Employees Credit Union ("Creditor") moves the Court for an order terminating the automatic stay pursuant to 11 U.S.C. Section 362(d) to permit it to take any and all actions necessary to sell the following described personal property and apply the proceeds to obligations owed Creditor for purchase of a 2015 Jeep Wrangler VIN: 1C4BJWDGXFL653846 (the "Vehicle"). Creditor also moves the Court that enforcement of this order not be stayed for fourteen (14) days pursuant to F.R.B.P 4001(a)(3).

The Debtor purchased the Vehicle under the Retail Installment Sale Contract dated July 11, 2020, attached to the declaration on file with the court as Exhibit "1" and incorporated by this reference.

Creditor has a valid and perfected security interest in the Vehicle as shown on Exhibit "2" to the declaration on file with the court.

The contract provided for 84 monthly payments of \$486.20 at 4.54%. The contract is

1 past due for June 25, 2023 and all subsequent payments. The total amount past due under the
2 contract is approximately \$972.40 as of August 1, 2023.

3 It is not known what, if any, equity there is in the Vehicle as Creditor has not had the
4 opportunity to inspect the Vehicle and does not have information on the Vehicle's condition.
5 However, as of August 1, 2023, the outstanding balance due to Creditor is \$25,100.63. The
6 estimated value of the Vehicle is \$22,300.00.
7

8 Creditor moves for relief based on the grounds that (1) the Debtor is delinquent on
9 payments due under the contract; (2) the interest of Creditor in the Vehicle is not adequately
10 protected as there is no equity in the Vehicle; and (3) the Vehicle is not necessary for an effective
11 reorganization.
12

13 THEREFORE, Creditor requests this Court enter an order terminating the automatic stay
14 so that Creditor may be allowed to take any and all actions necessary to sell the Vehicle and
15 apply the proceeds to the balance owing to Creditor.
16

17 Dated: August 2, 2023

McCarthy & Holthus, LLP

19 /s/ Lance E. Olsen

20 Lance E. Olsen, Esq. WSBA 25130
21 Michael S. Scott, Esq. WSBA 28501
22 Ilene Dell'Acqua, Esq. WSBA 28907
23 Attorney for Creditor
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CERTIFICATE OF SERVICE

On 8/2/2023, I served the foregoing **NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY; MOTION FOR RELIEF FROM AUTOMATIC STAY; DECLARATION IN SUPPORT OF MOTION FOR RELIEF FROM AUTOMATIC STAY AND ALL EXHIBITS SUPPORTING THE MOTION AND DECLARATION** on the following individuals by electronic means through the Court's ECF program:

TRUSTEE

Mark D Waldron
Trustee@mwaldronlaw.com

DEBTOR(S) COUNSEL

Ellen Ann Brown
stopdebt@gmail.com

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Andrei Mihai
Andrei Mihai

On 8/2/2023, I served the foregoing **NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY; MOTION FOR RELIEF FROM AUTOMATIC STAY; DECLARATION IN SUPPORT OF MOTION FOR RELIEF FROM AUTOMATIC STAY AND ALL EXHIBITS SUPPORTING THE MOTION AND DECLARATION** on the following individuals by depositing true copies thereof in the United States mail, enclosed in a sealed envelope, with postage paid, addressed as follows:

DEBTOR

Colby Douglas Crumley, 5411 15th Ave. N.E. #308A, Lacey, WA 98503

US TRUSTEE

700 Stewart St Ste 5103, Seattle, WA 98101

BORROWER(S)

Hallie Ann Clinton, 5411 15th Ave. N.E. #308A, Lacey, WA 98503

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Hue Banh
Hue Banh